UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25799
20 May 1993

ORIGINAL: ENGLISH

LETTER DATED 19 MAY 1993 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, dated 7 May 1993, from the President of the Parliament of the Republic of Bosnia and Herzegovina to the Parliament of the European Community.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

Annex

Letter dated 7 May 1993 from the President of the Parliament of the Republic of Bosnia and Herzegovina addressed to the Parliament of the European Community

You have probably heard of the fact that the Prime Minister of the Republic of Greece, Mr. Konstantin Mizotakis, made a visit to the temporarily occupied territory of the Republic of Bosnia and Herzegovina, a country also recognized by the member States of the European Community.

We are not surprised at the presence on the temporarily occupied territory of Milosević, Bulatović, and Ćosić, whose countries (Serbia and Montenegro, i.e., so-called Federal Republic of Yugoslavia), due to their aggression against Bosnia and Herzegovina, suffer tough sanctions of the international community. However, we are surprised at and cannot accept the illegal stay of Mr. Mizotakis on the territory of the Republic of Bosnia and Herzegovina, which represents an open violation of the sovereignty of an internationally recognized, independent country. Particularly surprising are his words spoken at Pale which deny the legal and legitimate authorities of the State of Bosnia and Herzegovina, and renders open support to the Serbian-Montenegrin aggressors.

Such behaviour is unacceptable in international relations and relations between States, and leaves a bad impression regarding the peace efforts of the European Community.

Mr. Mizotakis would have done more in the interest of peace in these regions if he had visited the Republic of Bosnia and Herzegovina and the capital city of Sarajevo so as to see the tragic consequences of the brutal aggression, the more so since Greece was among the first countries to recognize Bosnia and Herzegovina.

(Signed) Mîro LAZOVIĆ
President of the Parliament of
Bosnia and Herzegovina

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25800
19 May 1993
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 19 MAY 1993 FROM THE PERMANENT REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Please find annexed hereto a memorandum from the French Government on the establishment of safe areas in Bosnia Herzegovina.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Jean-Bernard MERIMEE

Annex

FRENCH MEMORANDUM RELATIVE TO SAFE AREAS

A. Principles

1. A safe area is defined as a besieged area, with a precisely defined perimeter, placed under the protection of the United Nations, in which the delivery of humanitarian assistance is ensured and all acts of aggression banned.

2. Resolution 824 (1993) of 6 May 1993 declares that "Sarajevo, and other such threatened areas, in particular the towns of Tuzla, Zepa, Gorazde, Bihac, Srebrenica and their surroundings, should be treated as safe areas by all the parties concerned and should be free from armed attacks and from any other hostile act". It is cautious concerning the way to ensure protection of those areas, and leaves to a further resolution for what concerns the authorization of the use of military force.

3. The general aim of the scheme should be to stop territorial gains by the Serbian forces in Bosnia Herzegovina and to achieve a negotiated settlement by the parties concerned.

4. The mandate of UNPROFOR should be modified in order to give it expressly, more clearly than in resolution 824 (1993), the task of ensuring the security of safe areas. To this end a new resolution should provide explicitly for the possibility of recourse to the force, by all necessary means.

B. UNPROFOR's tasks

5. The new tasks of UNPROFOR in the safe areas might be the following. They obviously depend on the scale of the forces deployed, which makes it necessary to consider several options as described in paragraph 7:

(a) In a light option without formed units:

- to deter aggression
- to observe the cease-fire
- to facilitate relief operations to the populations.

(b) In a light option with formed units:

- to deter aggression
- to monitor the cease-fire
- to occupy some key points on the ground
- to participate in relief operations to the population.

(c) In a heavy option:

- to oppose any aggression
- to monitor the cease-fire
- to occupy key points on the ground
- to participate in relief operations to the population
- to keep open one or more logistic corridors through Serb areas
- if necessary to collect heavy weapons and to carry out demilitarization.

6. The criteria for triggering the use of force, determined in a limited way, might be in particular:

(a) Shelling of safe areas by the forces of one of the factions,

(b) Armed incursion into safe areas,

(c) Impediment of free movement of UNPROFOR and protected humanitarian convoys under protection.

C. Modalities of action proposed

7. Three options can be considered in order to ensure protection of threatened populations, who are estimated to number 500,000 inhabitants and refugees in Sarajevo, 200,000 in Tuzla, 10,000 in Zepa, 80,000 in Gorazde, 310,000 in Bihac, 30,000 in Srebrenica and 15,000 in Foca.

(a) Two light options: either, in the absence of formed units, establishing a symbolic United Nations presence, or providing for the monitoring of a limited perimeter with relatively weak forces:

- establishing a United Nations presence requires the deployment of observer teams in all the areas (several dozen);
- monitoring limited perimeters requires the commitment of a brigade in Sarajevo (5,000 men) and of a battalion (900 men) in each of the four other areas (treating Gorazde and Foca as one area and Srebrenica and Zepa as another).

As a first step, in Eastern Bosnia, the deployment might be limited to one company for each enclave.

(b) A heavy option with a large perimeter, ensuring free movement of the United Nations forces and preventing any enemy aggression, particularly artillery. The scale of forces needed to cover all the tasks mentioned in paragraph 5 (c) amounts to one division (15,000 to 20,000 men) for Sarajevo and one brigade (5,000 men) for each of the other four areas.

1 (c) In any case, it would be advisable to plan for one intervention unit consisting of a light brigade (3,000 men), and the use of air power (already partly deployed in the enforcement of the no-fly zone), in order to be able to confront potential major aggression.

D. Participation, political control and command

8. It seems to us that the effective participation on the ground of the United States and the Russian Federation with the countries already involved would confer added credibility to such a concept of safe areas and might make the light options sufficient. The establishment of those areas should be accompanied by the appointment by the Secretary-General of the United Nations of a political authority able to control actions undertaken, and by the establishment of a command organization capable of ensuring in particular coordination between ground and air forces. These two provisions, which appear intrinsically necessary, would moreover be in line with preparations for the transition towards the eventual implementation of the Vance-Owen peace plan.

UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/48/170
S/25801
19 May 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Item 146 of the preliminary list*
REPORT OF THE INTERNATIONAL LAW
COMMISSION ON THE WORK OF ITS
FORTY-FIFTH SESSION

SECURITY COUNCIL
Forty-eighth year

Letter dated 19 May 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the letter from His Excellency Mr. Vladislav Jovanović, Deputy Prime Minister and Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 146 of the preliminary list, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

* A/48/50.

ANNEX

Letter dated 17 May 1993 from the Deputy Prime Minister and Minister for Foreign Affairs of the Federal Republic of Yugoslavia to the Secretary-General

Following your report of 3 May 1993 (S/25704) relating to paragraph 2 of Security Council resolution 808 (1993) of 22 February 1993, I am writing to apprise you of the position of the Yugoslav Government.

The establishment of an ad hoc international tribunal by the Security Council for the prosecution of persons responsible for grave breaches of international humanitarian law committed in the territory of the former Yugoslavia since 1991 is a precedent in international law and the work of the United Nations.

Yugoslavia considers that all perpetrators of war crimes committed in the territory of the former Yugoslavia should be prosecuted and punished under national laws, which are harmonized with international law and by competent judicial authorities, in accordance with the principle of territorial jurisdiction.

Since Yugoslavia has already accepted the jurisdiction of international commissions for the investigation of war crimes, which has not been the case with other States, this constitutes additional pressure by the international community on the work of its national judicial authorities engaged in the prosecution and punishment of perpetrators of war crimes.

Yugoslavia is one of the advocates of the idea concerning the establishment of a permanent international tribunal and respect for the principle of equality of States and universality and considers, therefore, the attempts to establish an ad hoc tribunal discriminatory, particularly in view of the fact that grave breaches of international law of war and humanitarian law have been committed and are still being committed in many armed conflicts in the world, whose perpetrators have not been prosecuted or punished by the international community (Democratic People's Republic of Korea, Viet Nam, Algeria, Cambodia, Lebanon, Afghanistan, the Belgian Congo, Iraq, Panama etc.). War crimes are not committed in the territory of one State alone and are not subject to the statute of limitations, so that the selective approach to the former Yugoslavia is all the more difficult to understand and is contrary to the principle of universality.

Yugoslavia has its doubts about the impartiality of the ad hoc tribunal, particularly because of the one-sided approach of the United Nations Security Council to the responsibility for armed conflicts in the territory of the former Yugoslavia and the fact that numerous initiators and advocates of the idea of its establishment have openly stated that this was going to be a tribunal for Serbs. Besides, reports of various international commissions investigating war crimes are biased and unsubstantiated.

In view of the fact that, under the Charter of the United Nations, the Security Council has no mandate to set up such a tribunal or to adopt its statute, it is quite legitimate to question the legal basis for the establishment of the ad hoc tribunal. This is borne out by the opinions of many States and a number of draft tribunal statutes, including the draft of the Conference on Security and Cooperation in Europe (CSCE), to the effect that such a tribunal could be established only by a convention or as a result of decisive influence of the United Nations General Assembly.

In the report by the Secretary-General of 3 May 1993, submitted under paragraph 2 of Security Council resolution 808 (1993), it is said that the international tribunal has been set up on the basis of Chapter VII and Article 29 of the United Nations Charter (S/25704, sect. I).

Yugoslavia wishes to reiterate that the Security Council has no mandate to establish an international tribunal, nor does Chapter VII of the United Nations Charter provide for the establishment of that tribunal. Invocation of Article 29 of the United Nations Charter is legally unfounded and arbitrary, since Article 29 only provides that the Security Council may establish subsidiary organs as it deems necessary for the performance of its functions. It is obvious that such a tribunal is not a subsidiary organ of the Security Council. No independent tribunal, particularly an international tribunal, can be a subsidiary organ of any body, including the Security Council.

The ongoing drive to establish an international tribunal is politically motivated and without precedent in international legal practice, so much so since members of the international community have not been able to agree on the establishment and statute of an international criminal court for decades. The proposed statute of the international tribunal is inconsistent and replete with legal lacunae to the extent that makes it unacceptable to any State cherishing its sovereignty and dignity.

I would like to recall that the international community has held Yugoslav criminal legislation and its judiciary in very high esteem, inter alia, because it has adopted all solutions and achievements of modern criminal law and all international conventions pertaining to international humanitarian law.

The establishment of an ad hoc tribunal is also contrary to the provisions of the Constitution of the Federal Republic of Yugoslavia, which prohibits extradition of Yugoslav nationals. Yugoslavia is not convinced of the need that it alone should amend its constitutional provisions pertaining to extradition, which are otherwise contained in appropriate legal documents of other States as well, even less so if the same obligation is not provided also for other members of the international community.

Yugoslavia is a signatory State of all international conventions in the field of international humanitarian law, its legislation is in full harmony with the provisions of those conventions and it is prepared to comply fully with its international commitments under these conventions.

In advising you of the remarks of the Federal Government on the proposals contained in your report, I wish to inform you that any decision of the Security Council on this issue related to Yugoslavia will have to be approved by the Parliament of the Federal Republic of Yugoslavia as the supreme authority under its Constitution.

UNITED NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/48/170*
S/25801*
21 May 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Item 146 of the preliminary list**
REPORT OF THE INTERNATIONAL LAW
COMMISSION ON THE WORK OF ITS
FORTY-FIFTH SESSION

SECURITY COUNCIL
Forty-eighth year

Letter dated 19 May 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the letter from His Excellency Mr. Vladislav Jovanović, Deputy Prime Minister and Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 146 of the preliminary list, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

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* Reissued for technical reasons.

** A/48/50.

93-29943 (E) 210593 230593

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ANNEX

Letter dated 17 May 1993 from the Deputy Prime Minister and Minister for Foreign Affairs of the Federal Republic of Yugoslavia to the Secretary-General

Following your report of 3 May 1993 (S/25704) relating to paragraph 2 of Security Council resolution 808 (1993) of 22 February 1993, I am writing to apprise you of the position of the Yugoslav Government.

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Yugoslavia considers that all perpetrators of war crimes committed in the territory of the former Yugoslavia should be prosecuted and punished under national laws, which are harmonized with international law and by competent judicial authorities, in accordance with the principle of territorial jurisdiction.

Since Yugoslavia has already accepted the jurisdiction of international commissions for the investigation of war crimes, which has not been the case with other States, this constitutes additional pressure by the international community on the work of its national judicial authorities engaged in the prosecution and punishment of perpetrators of war crimes.

Yugoslavia is one of the advocates of the idea concerning the establishment of a permanent international tribunal and respect for the principle of equality of States and universality and considers, therefore, the attempts to establish an ad hoc tribunal discriminatory, particularly in view of the fact that grave breaches of international law of war and humanitarian law have been committed and are still being committed in many armed conflicts in the world, whose perpetrators have not been prosecuted or punished by the international community (Korea, Viet Nam, Algeria, Cambodia, Lebanon, Afghanistan, the Belgian Congo, Iraq, Panama etc.). War crimes are not committed in the territory of one State alone and are not subject to the statute of limitations, so that the selective approach to the former Yugoslavia is all the more difficult to understand and is contrary to the principle of universality.

Yugoslavia has its doubts about the impartiality of the ad hoc tribunal, particularly because of the one-sided approach of the United Nations Security Council to the responsibility for armed conflicts in the territory of the former Yugoslavia and the fact that numerous initiators and advocates of the idea of its establishment have openly stated that this was going to be a tribunal for Serbs. Besides, reports of various international commissions investigating war crimes are biased and unsubstantiated.

In view of the fact that, under the Charter of the United Nations, the Security Council has no mandate to set up such a tribunal or to adopt its statute, it is quite legitimate to question the legal basis for the establishment of the ad hoc tribunal. This is borne out by the opinions of many States and a number of draft tribunal statutes, including the draft of the Conference on Security and Cooperation in Europe (CSCE), to the effect that such a tribunal could be established only by a convention or as a result of decisive influence of the United Nations General Assembly.

In the report by the Secretary-General of 3 May 1993, submitted under paragraph 2 of Security Council resolution 808 (1993), it is said that the international tribunal has been set up on the basis of Chapter VII and Article 29 of the United Nations Charter (S/25704, sect. I).

Yugoslavia wishes to reiterate that the Security Council has no mandate to establish an international tribunal, nor does Chapter VII of the United Nations Charter provide for the establishment of that tribunal. Invocation of Article 29 of the United Nations Charter is legally unfounded and arbitrary, since Article 29 only provides that the Security Council may establish subsidiary organs as it deems necessary for the performance of its functions. It is obvious that such a tribunal is not a subsidiary organ of the Security Council. No independent tribunal, particularly an international tribunal, can be a subsidiary organ of any body, including the Security Council.

The ongoing drive to establish an international tribunal is politically motivated and without precedent in international legal practice, so much so since members of the international community have not been able to agree on the establishment and statute of an international criminal court for decades. The proposed statute of the international tribunal is inconsistent and replete with legal lacunae to the extent that makes it unacceptable to any State cherishing its sovereignty and dignity.

I would like to recall that the international community has held Yugoslav criminal legislation and its judiciary in very high esteem, inter alia, because it has adopted all solutions and achievements of modern criminal law and all international conventions pertaining to international humanitarian law.

The establishment of an ad hoc tribunal is also contrary to the provisions of the Constitution of the Federal Republic of Yugoslavia, which prohibits extradition of Yugoslav nationals. Yugoslavia is not convinced of the need that it alone should amend its constitutional provisions pertaining to extradition, which are otherwise contained in appropriate legal documents of other States as well, even less so if the same obligation is not provided also for other members of the international community.

Yugoslavia is a signatory State of all international conventions in the field of international humanitarian law, its legislation is in full harmony with the provisions of those conventions and it is prepared to comply fully with its international commitments under these conventions.

In advising you of the remarks of the Federal Government on the proposals contained in your report, I wish to inform you that any decision of the Security Council on this issue related to Yugoslavia will have to be approved by the Parliament of the Federal Republic of Yugoslavia as the supreme authority under its Constitution.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25802
19 May 1993
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 19 MAY 1993 FROM THE REPRESENTATIVES OF FRANCE, SPAIN AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to bring to your attention the French and English text of the Declaration on the Vance-Owen Plan, adopted by the European Community and its member States on 18 May 1993.

We should be grateful if you would have the text of this letter and its annexes circulated as a document of the Security Council.

(Signed) Antonio PEDAUYE
Chargé d'affaires a.i.
Permanent Mission
of Spain

(Signed) Jean-Bernard MERIMEE
Permanent Representative
of France

(Signed) Sir David Hannay
Permanent
Representative
of the
United Kingdom

Annex

[Original: English/French]

Declaration on the Vance-Owen Plan

(18 May 1993)

"The community and its member States have taken note of the fact that the Bosnian Serbs have not yet accepted the Vance-Owen Plan. Their leader, Radovan Karadzic, who personally signed the Plan in Athens, has now rejected it.

The community and its member States will continue to lend their full support to the Vance-Owen Plan. They demand its immediate acceptance by the Bosnian Serbs. To this end, they will, in cooperation with the United States, Russia, and other interested parties, continue, under the aegis of the United Nations, to bring heavy pressure to bear on Serbia/Montenegro and the Bosnian Serbs, with no option being excluded.

At the same time, the community and its member States are deeply outraged at the military attacks against Muslim civilians by Bosnian Serb and Bosnian Croat forces. These atrocities must be brought to an end immediately. With a view to seeking an end to Bosnian Croat attacks against Muslims, the Chairman of the European Community Council of Ministers will, on 18 May, participate in a meeting in Mostar with, among others, the Presidents of Croatia and Bosnia-Herzegovina, as well as Lord Owen and Thorvald Stoltenberg."

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25803
19 May 1993
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Draft resolution

The Security Council,

Reaffirming its resolutions 668 (1990) of 20 September 1990, 745 (1992) of 28 February 1992, 810 (1993) of 8 March 1993 and other relevant resolutions,

Taking note of the reports of the Secretary-General dated 3 May 1993 (S/25719) and 15 May 1993 (S/25784),

Expressing its strong support for the almost five million Cambodians who, in spite of violence and intimidation, have registered to vote in the election of a constituent assembly, and have broadly and actively participated in the electoral campaign,

Recognizing the great importance of His Royal Highness Prince Norodom Sihanouk, President of the Supreme National Council (SNC), continuing his invaluable efforts in Cambodia to achieve national reconciliation and restore peace,

1. Approves the reports of the Secretary-General dated 3 May 1993 (S/25719) and 15 May 1993 (S/25784);

2. Expresses its satisfaction with the arrangements made by the United Nations for the conduct of the election for the constituent assembly in Cambodia described in the report of the Secretary-General (S/25784);

3. Demands that all the parties abide by the Paris Agreements and give UNTAC the full cooperation required under them;

4. Commends those participating in the election campaign in accordance with the Paris Agreements despite the violence and intimidation in order that the Cambodian people may have an opportunity to choose freely their own government;

5. Deplores all acts of non-cooperation with the Paris Agreements and condemns all acts of violence committed on political and ethnic grounds, intimidation and attacks on UNTAC personnel;

6. Expresses its full support for the measures taken by UNTAC to protect the safety of UNTAC personnel and underlines the need for UNTAC to continue its efforts in this regard;

7. Demands that all parties take all actions necessary to safeguard the lives and the security of UNTAC personnel throughout Cambodia, and desist from all threats or intimidation against UNTAC personnel and from any interference with them in the performance of their mandate;

8. Expresses its appreciation for the positive efforts and the achievements of UNTAC in preparation for the elections, in respect both of the registration of candidates and parties and of the holding of the electoral campaign, albeit under difficult conditions;

9. Fully supports the decision of the Secretary-General that the election be held as scheduled in accordance with the decision of the SNC endorsed by the Security Council in its resolution 810 (1993);

10. Calls on UNTAC to continue to work in accordance with resolution 810 (1993) to ensure a neutral political environment conducive to the holding of free and fair elections;

11. Reaffirms its determination to endorse the results of the election for the constituent assembly provided that the United Nations certifies it free and fair;

12. Reminds all the Cambodian parties of their obligation under the Paris Agreements fully to comply with the results of the election;

13. Warns that the Council will respond appropriately should any of the parties fail to honour its obligations;

14. Reaffirms its readiness to support fully the constituent assembly and the process of drawing up a constitution and establishing a new government for all Cambodia and to support subsequent efforts to promote national reconciliation and peace building;

15. Recognizes that the Cambodians themselves bear primary responsibility for the implementation of the Paris Agreements and for the political future and well-being of their own country, and reaffirms that all Cambodian parties are expected to honour their obligations under the Paris Agreements and participate constructively and peacefully in the political process after the election;

16. Requests the Secretary-General to report promptly to the Council on the holding and results of the election, including on the conduct of the parties as regards their obligations under the Paris Agreements and, if necessary, to recommend any initiative and/or measures conducive to ensuring their full respect by all parties;

17. Decides to remain actively seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25804
18 May 1993

ORIGINAL: ENGLISH

LETTER DATED 19 MAY 1993 FROM THE PERMANENT REPRESENTATIVE OF BULGARIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government I have the honour to transmit herewith the annexed Memorandum of the Government of the Republic of Bulgaria regarding the easing of the transshipment regime through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro).

I would be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Slavi PASHOVSKI
Permanent Representative of
Bulgaria to the United Nations

Annex

Memorandum of the Government of the Republic of Bulgaria regarding the easing of the transshipment regime through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro)

The Republic of Bulgaria strictly implements the United Nations Security Council resolutions with regard to the Federal Republic of Yugoslavia (Serbia and Montenegro). It has declared its readiness to continue to abide in good faith by the obligations under those resolutions.

At the same time, the Government of the Republic of Bulgaria would like once again to draw the attention of the Security Council to the fact that the implementation of the trade and economic sanctions introduced by the above-mentioned resolutions has resulted in considerable direct losses to the Bulgarian economy.

As it was more specifically pointed out in the Memorandum dated 6 May 1993, of the Government of the Republic of Bulgaria regarding the implementation of United Nations Security Council resolution 820 (1993) (document S/25743), the restrictive transshipment regime through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) established by the respective resolutions has considerably disrupted the traditional trade and economic links of Bulgaria with the countries of Central and Western Europe. The greater part of Bulgarian exports and imports to and from the European markets is effected through the area under the sanctions regime. The use of detour routes with very heavy traffic even under normal conditions raises the cost of Bulgarian exports and has an extremely negative effect on their realization. All this leads to the speeding up of the process of inflation, the aggravation of the financial situation of the country, thus bringing about serious social consequences. The new measures introduced by Security Council resolution 820 (1993) of 17 April 1993, have, in practice, already resulted in the cutting off of the trade and economic links of Bulgaria with other European countries and in its isolation from markets of vital importance for the national economy.

In view of the above circumstances, the Government of the Republic of Bulgaria urgently calls upon the United Nations Security Council to consider, as a matter of priority, the possibilities of adopting the necessary steps to ease the transshipment regime through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro), both by land and on the Danube, while at the same time the strict implementation of the prohibitions and restrictions with regard to the import and export of goods and products to and from its territory is guaranteed by respective control measures.

17 May 1993

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25805
19 May 1993
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 18 MAY 1993 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that United States aircraft, within the framework of their attempts to provoke the feelings of Iraqis, have again dropped heat flares over peaceful Iraqi civilian areas. At 1200 hours on 12 May 1993, a United States aircraft dropped three heat flares over a farm to the south of the Kuwayr region of Irbil Governorate.

The continued dropping of heat flares by United States aircraft is further proof of the persistence of the United States in inflicting harm on Iraq and its people and in infringing its sovereignty and security.

The Government of the Republic of Iraq protests strongly against these acts of provocation and requests you to take the measures prescribed by the principles of the provisions of the Charter of the United Nations to halt them and ensure that they are not repeated in the future.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

93-29382 (E) 200593 200593

200593

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25806
20 May 1993

ORIGINAL: ENGLISH

LETTER DATED 14 MAY 1993 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you, and through you the members of the Security Council, that I have decided to appoint Mr. Thorvald Stoltenberg (Norway) to succeed Mr. Cyrus Vance as Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia.

I have also decided to appoint Mr. Stoltenberg additionally as my Special Representative for the former Yugoslavia, with immediate effect. In that capacity Mr. Stoltenberg will assume responsibility for supervising and coordinating all United Nations activities in the former Yugoslavia, including, in due course, implementation of the Vance-Owen Plan for Bosnia and Herzegovina.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

93-29547 (E) 200593 200593

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25807
20 May 1993

ORIGINAL: ENGLISH

LETTER DATED 19 MAY 1993 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 14 May 1993 (S/25806) concerning the appointment of Mr. Thorvald Stoltenberg as Co-Chairman of the Steering Committee of the International Conference on Yugoslavia and additionally as your Special Representative for the former Yugoslavia has been brought to the attention of the Council members. They welcome your decisions.

(Signed) Yuliy M. VORONTSOV
President of the Security Council

93-29558 (E) 200593 200593

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/25808
20 May 1993
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 18 MAY 1993 FROM THE PERMANENT REPRESENTATIVE OF HUNGARY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith a letter dated 5 May 1993, together with its annexes, addressed to you by the Chairman and the Secretary of the Danube Commission, concerning the Federal Republic of Yugoslavia (Serbia and Montenegro).

I should be grateful if you would have the text of the aforesaid letter and its annexes circulated as a document of the Security Council.

(Signed) André ERDOS
Ambassador

93-29626 (E) 210593 210593 230593

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Annex

[Original: French and Russian]

Letter dated 5 May 1993 from the Chairman and the Secretary of the Danube Commission addressed to the President of the Security Council

We have the honour to inform you that the Danube Commission, at its fifty-first meeting, held in Budapest from 20 to 28 April 1993, adopted a resolution on the question of the continued collection by the authorities of the Federal Republic of Yugoslavia of transit charges from vessels passing through the Yugoslav sector of the Danube (CD/SES 51/40) and a resolution concerning the monitoring of compliance with the sanctions imposed by the United Nations Security Council against the Federal Republic of Yugoslavia (Serbia and Montenegro) and the treaty regime of navigation on the Danube (CD/SES 51/41). The text of these resolutions is enclosed.

Accept, Sir, the assurances of our highest consideration.

G. MISUR
CHAIRMAN OF THE
DANUBE COMMISSION

N. SLAVOV
SECRETARY OF THE
DANUBE COMMISSION

Appendix I

DANUBE COMMISSION
Fifty-first meeting

CD/SES 51/40

RESOLUTION

adopted at the fifty-first meeting of the Danube Commission concerning the question of the continued collection by the authorities of the Federal Republic of Yugoslavia of transit charges from vessels passing through the Yugoslav sector of the Danube

(Adopted at the plenary meeting held on 28 April 1993)

The Danube Commission,

Confirming the resolution adopted at the fourth special meeting of the Commission concerning the unilateral introduction by the Federal Republic of Yugoslavia, without consulting the Commission, of a fee for the use of navigational safety facilities on inland waterways by foreign vessels transiting through its sector of the Danube,

1. Deplores the fact that these decisions have not been fully implemented by the Federal Republic of Yugoslavia, and urges the competent authorities of the Federal Republic of Yugoslavia to take all the steps required for their implementation;

2. Reaffirms its statement that questions relating to the introduction of new fees and charges should be settled in accordance with the mechanism envisaged by the 1948 Belgrade Convention regarding the Regime of Navigation on the Danube.

Appendix II

DANUBE COMMISSION
Fifty-first meeting

CD/SES 51/41

RESOLUTION

adopted at the fifty-first meeting of the Danube Commission concerning the monitoring of compliance with the sanctions imposed by the United Nations Security Council against the Federal Republic of Yugoslavia (Serbia and Montenegro) and the treaty regime of navigation on the Danube

(Adopted at the plenary meeting held on 28 April 1993)

The 1948 Belgrade Convention regarding the Regime of Navigation on the Danube continued the tradition of regulating, by means of a multilateral treaty, the historically established regime of free commercial navigation.

The States members of the Danube Commission are complying strictly with the relevant Security Council resolutions, namely, 713 (1991), 757 (1992), 787 (1992) and 820 (1993).

They note, however, that as a result of the sanctions imposed against the Federal Republic of Yugoslavia (Serbia and Montenegro), it is mainly the Danubian countries which are suffering substantial economic losses.

While stating their determination also to fulfil strictly their future obligations under the Charter of the United Nations, the States members of the Danube Commission express their concern at the critical situation in the Danube region.

At the same time, they reaffirm their view that the strict implementation of the Security Council resolutions in question should be understood as involving steps to be taken within the framework of their national laws, taking into account also their individual obligations as sovereign States Members of the United Nations. However, they express their hope that upon the application of the Security Council measures, in conformity with existing practice in international law, consideration will be given to the serious threat to free navigation on the Danube.

The States members of the Danube Commission deem it essential to confirm officially that, in implementing the Security Council resolutions, they are guided by the following notions:

(a) All obligations relating to the regime of navigation on the Danube which are not affected by the sanctions must continue to be fulfilled strictly;

(b) Measures adopted in implementation of the Security Council resolutions which establish some limits on the regime of free navigation on the Danube should be regarded as being solely of a temporary nature. Such measures relate only to the actions taken with a view to the implementation of the relevant

Security Council resolutions, and cannot influence the future regime of free navigation on the Danube;

(c) In view of the substantial economic losses, they also deem it appropriate to inform the Security Council of the need to develop a compensatory mechanism.